

IN THE UNITED STATES BANKRUPTCY COURT

FOR THE SOUTHERN DISTRICT OF GEORGIA

SAVANNAH DIVISION

IN RE:	)	
	)	
ISAAC SCOTT, SR.,	)	CHAPTER 13 BANKRUPTCY
DEBORAH J. SCOTT,	)	CASE NO. 94-42334
	)	
DEBTORS	)	

ORDER

A confirmation hearing in this case was held on May 10, 1995. An Objection to Confirmation was filed by Eric S. Karpf, Vice President of Punch & Judy, Inc. It appears that Punch & Judy, Inc. is in the business of selling children's clothes. The objection complained that Debtors charged the sum of One

Hundred Fifty-five Dollars and Eighty-three Cents (\$155.83) on open account with Punch & Judy, Inc. on December 20, 1994, three days before the filing of this case.

In response to the objection, the creditor was advised by the Office of the Bankruptcy Clerk that an individual could not file pleadings in behalf of a corporation unless the individual is admitted to practice law in the Southern District of Georgia. On the face of the objection it is clear that Mr. Karpf, the person who signed the objection, is not an attorney at law but is instead an officer of the corporation filing the objection. The objection was received on January 11, 1995. The Clerk's notification was issued to the creditor on that same day.

At the confirmation hearing the Debtors were advised of the objection. The Court noted that the objection might have some merit but that it would not be considered because of the failure of the objecting creditor to properly pursue the objection through an attorney at law. The Court noted the obvious inequity to the creditor of requiring that the creditor retain the services of an attorney to pursue recovery of such a modest sum.

In response, Debtors proposed to permit the objection to be treated as a timely filed claim in the case and, further, proposed to classify the claim for payment in full.

Now, therefore it is hereby

ORDERED that the document entitled Objection to Plan filed

by Punch & Judy, Inc. is to be considered as a timely filed claim in this case in the amount of One Hundred Fifty-five Dollars and Eighty-three Cents (\$155.83), to be paid in full as a classified unsecured claim.

SO ORDERED this \_\_\_\_\_ day of May, 1995.

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JAMES D. WALKER, JR., Judge  
United States Bankruptcy Court

CERTIFICATE OF SERVICE

I, Cheryl L. Spilman, certify that a copy of the attached  
and foregoing was mailed to the following:

R. Wade Gustin  
Attorney At Law  
P. O. Box 8012  
Savannah, GA 31412

Sylvia Ford Brown  
Chapter 13 Trustee  
P. O. Box 10556  
Savannah, GA 31412

Eric S. Karpf  
Punch & Judy, Inc.  
4511 Habersham Street  
Savannah, GA 31405

This \_\_\_\_ day of May, 1995.

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Cheryl L. Spilman  
Deputy Clerk  
United States Bankruptcy Court